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November 2, 1994

William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

NOV 2 1994  
FEL. COMM. DIVISION

Re: Notification of Permitted Written Ex Parte  
Presentation in MM Docket No. 92-266

Dear Mr. Caton:

Discovery Communications, Inc. ("Discovery"), by its attorneys and pursuant to Section 1.1206(a)(1) of the Commission's rules, hereby submits two copies of the attached permitted written ex parte presentation to the indicated Commission officials regarding MM Docket No. 92-266. Kindly direct any questions regarding this matter to the undersigned.

Respectfully submitted,



Peter D. Ross

PDR/lar  
Attachments

No. of Copies rec'd  
List A B C D E

022

DISCOVERY COMMUNICATIONS, INC.



JOHN S. HENDRICKS  
Chairman and  
Chief Executive Officer

NOV 2 1994  
FEDERAL COMMUNICATIONS COMMISSION

November 2, 1994

Chairman Reed E. Hundt  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Permitted Written Ex Parte  
Presentation in MM Docket No. 92-266  
Cable Rate Regulation

Dear Chairman Hundt:

As you proceed with what I understand are your final deliberations on new "going forward" incentives for cable operator investment in programming, the lingering stagnation in the programming marketplace only underscores the importance of your impending decision. While your decision will surely provide the greater regulatory certainty our business so eagerly needs, I wanted to express my concern over a certain aspect of the regulatory treatment of newly added program services reportedly under consideration.

Specifically, this worrisome, previously unreported provision would apparently deny operators any mark-up on license fee increases for services added pursuant to the new channel addition mark-up approach. Indeed, it is unclear whether these license fee increases for newly added channels would be denied not just the 7.5 percent mark-up currently available for all program services, but also continued external treatment that allows operators full recovery of programming cost increases that exceed inflation.

Such a disincentive for continued operator support for newly added services would work to undermine the Commission's long-considered efforts to restore a dynamic programming marketplace. Even if the initial mark-up the Commission ultimately allows for added program services proves adequate to get emerging program services launched on a significant number of cable systems nationwide, the ability of those services to offer viewers innovative, captivating

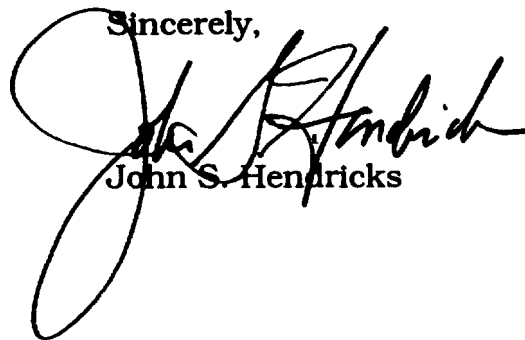
Chairman Reed E. Hundt  
Federal Communications Commission  
November 2, 1994  
Page Two

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As the owner and operator of both an established program service -- The Discovery Channel -- and an emerging one -- The Learning Channel -- Discovery Communications, Inc. has urged throughout this proceeding that the Commission restore incentives for operator investment in programming on terms fair to all classes of programmers. If new "going forward" rules are indeed intended to foster not just the launch but also the long-term viability of emerging and existing program services alike, the Commission should clearly reject any such preemptive strike against necessary future license fee increases for newly added program services.

Thank you for the continued opportunity to present my views on these matters of great consequence to programmers and the viewing public we seek to serve.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Hendricks", is written over the typed name. The signature is stylized with a large, looping initial "J".

John S. Hendricks

cc: Meredith Jones  
FCC Secretary (2 copies)

DISCOVERY COMMUNICATIONS, INC.



JOHN S. HENDRICKS  
*Chairman and  
Chief Executive Officer*

November 2, 1994

Commissioner Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Permitted Written Ex Parte  
Presentation in MM Docket No. 92-266  
Cable Rate Regulation

Dear Commissioner Barrett:

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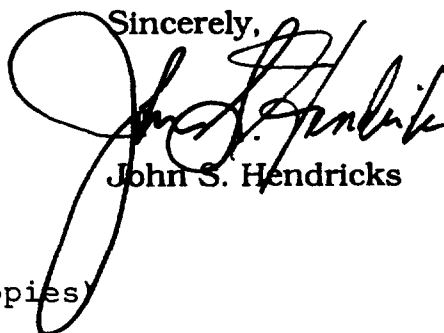
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Federal Communications Commission  
November 2, 1994  
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John S. Hendricks

cc: FCC Secretary (2 copies)

DISCOVERY COMMUNICATIONS, INC.



JOHN S. HENDRICKS  
*Chairman and  
Chief Executive Officer*

November 2, 1994

Commissioner Rachelle B. Chong  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Permitted Written Ex Parte  
Presentation in MM Docket No. 92-266  
Cable Rate Regulation

Dear Commissioner Chong:

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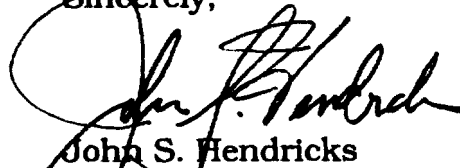
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Federal Communications Commission  
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John S. Hendricks

cc: FCC Secretary (2 copies)

DISCOVERY COMMUNICATIONS, INC.



JOHN S. HENDRICKS  
*Chairman and  
Chief Executive Officer*

November 2, 1994

Commissioner Susan Ness  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Permitted Written Ex Parte  
Presentation in MM Docket No. 92-266  
Cable Rate Regulation

Dear Commissioner Ness:

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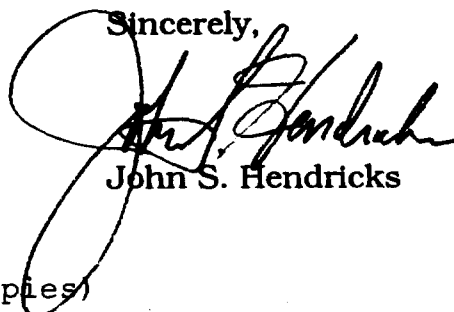
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DISCOVERY COMMUNICATIONS, INC.



JOHN S. HENDRICKS  
*Chairman and  
Chief Executive Officer*

November 2, 1994

Commissioner James H. Quello  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Permitted Written Ex Parte  
Presentation in MM Docket No. 92-266  
Cable Rate Regulation

Dear Commissioner Quello:

As you proceed with what I understand are your final deliberations on new "going forward" incentives for cable operator investment in programming, the lingering stagnation in the programming marketplace only underscores the importance of your impending decision. While your decision will surely provide the greater regulatory certainty our business so eagerly needs, I wanted to express my concern over a certain aspect of the regulatory treatment of newly added program services reportedly under consideration.

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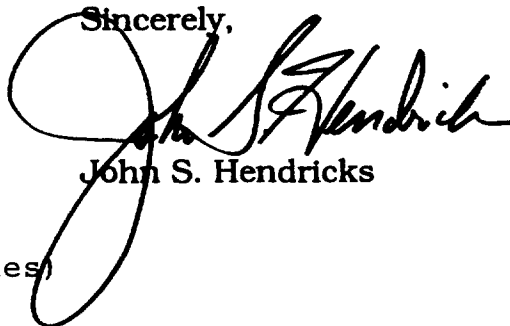
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John S. Hendricks

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